GOVERNMENT OF INDIA
ENVIRONMENT AND FORESTS
LOK SABHA

UNSTARRED QUESTION NO:2757
ANSWERED ON:13.03.2000
REVIEW OF WILDLIFE (PROTECTION) AND ENVIRONMENT (PROTECTION) ACTS
NAMDEO HARBAJI DIWATHE

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether the Government have reviewed the implementation of Wild Life (Protection) Act, 1972 and Environment Protection Act, 1986 as implemented in the States;

(b) if so, the details thereof;

(c) the shortcomings noticed in this regard, state-wise;

(d) whether the government proposed to carry any comprehensive amendments to the said Acts to ensure effective check on poaching to land require protection to Wildlife;

(e) if so, the details thereof;

(f) if not, the reasons, therefore; and (g) the measures worked out to remove the shortcomings noticed in implementation of these Acts?

Answer

MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT AND FORESTS

(SHRI BABU LAL MARANDI)

(a)(b)&(c) The Central Government has monitored the implementation of the Wild Life (Protection) Act, 1972 as amended in 1982, 1986 and 1991. The main shortcomings of the implementation are as follows:

i) Inadequate infrastructure for enforcement
ii) Non-registration of firearms around protected areas
iii) Inadequate resources for immunization of livestock against communicable diseases
iv) Degradation of wildlife habitat due to excessive biotic pressure
v) Inadequate compliance of declarations to be made under Section 40 of the Wild Life (Protection) Act.

The Central Government has commissioned a study regarding Environment Protection Act, 1986.

(d)&(e) The existing provisions of the Wild Life (Protection) Act, 1972 are adequate for effective checking of poaching of wildlife. However, it is proposed to make a new provision in the Act so that no bail shall be granted to any person accused of an offence relating to animals specified in Schedule I and Part II of Schedule II of the Act, hunting in or altering the boundary of a sanctuary or a national park without giving due opportunity to the public prosecutor to oppose the application against the bail. A provision is also proposed for taking action against the persons found guilty of financing illicit traffic in wildlife and wildlife articles including harboring of offenders.

(f) Does not arise.

(g) In addition to the stringent punishment prescribed in Wild Life (Protection) Act, other measures worked out to ensure removal of shortcomings in the implementation of Act include the following:

i) Setting up of a Special Coordination and Enforcement Committee under the Chairmanship of Secretary (Environment & Forests), Government of India. Similar Committees have been established at State level and district level in various States.
ii) Providing assistance to State Governments for strengthening the infrastructure through involvement of Armed Squads and Strike Forces drawn out of paramilitary forces and State armed constabulary.
iii) Strengthening the infrastructure under the Central Government and to ensure its presence in all sensitive areas.
iv) Authorise Central Bureau of Investigation (CBI) to apprehend offenders and launch prosecution in wildlife offences.
v) Periodic meetings with State Governments for effective monitoring of protection measures undertaken.